## Department of Veterans Affairs -

| SURVEY CLASS | SURVEY YEAR | COMPLETION DATE |
|---|---|---|
| Recognition Survey | 2021 | 7/14/2021 |

| NAME OF FACILITY | STREET ADDRESS | CITY | STATE | ZIP CODE |
|---|---|---|---|---|
| Chesterfield Township | 47901 Sugarbush Road | Chesterfield Township | MI | 48047 |

**SURVEYED BY (VHA Field Activity of Jurisdiction)**

Deanna Fye Joseph Becker-DET Keith Lippincott Mary Langworthy Melva.Coleman_TL VACO Team Member William.Browning_TL

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| 1000 | 51.40(a) Basic rate. Except as provided in § 51.41, VA will pay per diem for care provided to an eligible veteran at a State home at the lesser of the following rates: (1) One-half of the daily cost of the care for each day the veteran is in the State home, as calculated under paragraph (b) of this section. (2) The basic per diem rate for each day the veteran is in the State home. The basic per diem rate is established by VA for each fiscal year in accordance with 38 U.S.C. 1741(a) and (c).<br>Note to paragraph (a): To determine the number of days that a veteran was in a State home, see paragraph (c) of this section. | (M) Met | | | | | |
| 1001 | 51.40(b) How to calculate the daily cost of a veteran's care. The daily cost of care consists of those direct and indirect costs attributable to care at the State home, divided by the total number of residents serviced by the program of care. Cost principles are set forth in Office of Management and Budget (OMB) regulations. 2 CFR §§ 200.400-200.475. | (M) Met | | | | | |

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| 1002 | 51.40(c)(1) Determining whether a veteran spent a day receiving nursing home or domiciliary care.--(1) Nursing homes. VA will pay per diem for each day that the veteran is receiving nursing home care and has an overnight stay at the State home. Per diem also will be paid for a day when there is no overnight stay if the State home nursing home care program has an occupancy rate of 90 percent or greater on that day. However, these payments will be made only for the first 10 consecutive days during which the veteran is admitted as a patient for any stay in a VA or other hospital (a hospital stay could occur more than once in a calendar year once there is an overnight stay in the State home between hospital stays) and only for the first 12 days in a calendar year during which the veteran is absent for purposes other than receiving hospital care. Occupancy rate is calculated by dividing the total number of residents (including nonveterans) in the nursing home on that day by the total recognized nursing home capacity in that State home. | (M) Met | | | | | |
| 1003 | 51.41(a) Contract or VA provider agreement required. VA and State homes may enter into both contracts and provider agreements. VA will pay for each eligible veteran's care through either a contract or a provider agreement (called a "VA provider agreement"). Eligible veterans are those who: (1) Are in need of nursing home care for a VA adjudicated service connected disability, or (2) Have a singular or combined rating of 70 percent or more based on one or more service connected disabilities or a rating of total disability based on individual unemployability and are in need of nursing home care. | (M) Met | | | | | |
| 1004 | 51.41(b) Payments under contracts. Contracts under this section will be subject to this part to the extent provided for in the contract and will be governed by federal acquisition law and regulation. Contracts for payment under this section will provide for payment either: (1) At a rate or rates negotiated between VA and the State home; or (2) On request from a State home that provided nursing home care on August 5, 2012, for which the State home was eligible for payment under 38 U.S.C. 1745(a)(1), at a rate that reflects the overall methodology of reimbursement for such care that was in effect for the State home on August 5, 2012. | (M) Met | | | | | |

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| 1005 | 51.41(c) Payments under VA provider agreements. (1) State homes must sign an agreement to receive payment from VA for providing care to certain eligible veterans under a VA provider agreement. VA provider agreements under this section will provide for payments at the rate determined by the following formula. For State Homes in a metropolitan statistical area, use the most recently published CMS Resource Utilization Groups (RUG) case mix levels for the applicable metropolitan statistical area. For State Homes in a rural area, use the most recently published CMS Skilled Nursing Prospective Payment System case mix levels for the applicable rural area. To compute the daily rate for each State home, multiply the labor component by the State home wage index for each of the applicable case mix levels; then add to that amount the non labor component. Divide the sum of the results of these calculations by the number of applicable case mix levels. Finally, add to this quotient the amount based on the CMS payment schedule for physician services. The amount for physician services, based on information published by CMS, is the average hourly rate for all physicians, with the rate modified by the applicable urban or rural geographic index for physician work, then multiplied by 12, then divided by the number of days in the year. (2) The State home shall not charge any individual, insurer, or entity (other than VA) for the nursing home care paid for by VA under a VA provider agreement. Also, as a condition of receiving payments under paragraph (c) of this section, the State home must agree not to accept drugs and medicines from VA provided under 38 U.S.C. 1712(d) on behalf of veterans covered by this section and corresponding VA regulations (payment under paragraph (c) of this section includes payment for drugs and medicines). (3) Agreements under paragraph (c) of this section will be subject to this part, except to the extent that this part conflicts with this section. For purposes of this section, the term "per diem" in part 51 includes payments under provider agreements. (4) If a veteran receives a retroactive VA service-connected disability rating and becomes a veteran identified in paragraph (a) of this section, the State home may request payment under the VA provider agreement for nursing home care back to the retroactive effective | (M) Met | | | | | |

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| | date of the rating or February 2, 2013, whichever is later. For care provided after the effective date but before February 2, 2013, the State home may request payment at the special per diem rate that was in effect at the time that the care was rendered. | | | | | | |

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| 1006 | 51.41(d)-(g) VA signing official. (d) VA provider agreements must be signed by the Director of the VA medical center of jurisdiction or designee. (e) Forms. Prior to entering into a VA provider agreement, State homes must submit to the VA medical center of jurisdiction a completed VA Form 10-10EZ, Application for Medical Benefits (or VA Form 10-10EZR, Health Benefits Renewal Form, if a completed VA Form 10-10EZ is already on file at VA), and a completed VA Form 10-10SH, State Home Program Application for Care—Medical Certification, for the veterans for whom the State home will seek payment under the provider agreement. After VA and the State home have entered into a VA provider agreement, forms for payment must be submitted in accordance with paragraph (a) of this section. VA Forms 10-10EZ and 10-10EZR are set forth in full at §58.12 of this chapter and VA Form 10-10SH is set forth in full at §58.13 of this chapter. (f) Termination of VA provider agreements. (1) A State home that wishes to terminate a VA provider agreement with VA must send written notice of its intent to the Director of the VA medical center of jurisdiction at least 30 days before the effective date of termination of the agreement. The notice shall include the intended date of termination. (2) VA provider agreements will terminate on the date of a final decision that the home is no longer recognized by VA under §51.30. (g) Compliance with Federal laws. Under provider agreements entered into under this section, State homes are not required to comply with reporting and auditing requirements imposed under the Service Contract Act of 1965, as amended (41 U.S.C. 351, et seq.); however, State homes must comply with all other applicable Federal laws concerning employment and hiring practices including the Fair Labor Standards Act, National Labor Relations Act, the Civil Rights Acts, the Age Discrimination in Employment Act of 1967, the Vocational Rehabilitation Act of 1973, Worker Adjustment and Retraining Notification Act, Sarbanes-Oxley Act of 2002, Occupational Health and Safety Act of 1970, Immigration Reform and Control Act of 1986, Consolidated Omnibus Reconciliation Act, the Family and Medical Leave Act, the Americans with Disabilities Act, the Uniformed Services Employment and Reemployment Rights Act, the Immigration and Nationality Act, the Consumer Credit Protection Act, the Employee Polygraph | (M) Met | | | | | |

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| | Protection Act, and the Employee Retirement Income Security Act. | | | | | | |
| 1007 | 51.42(a)(1) Forms required—(1) Forms required at time of admission or enrollment. As a condition for receiving payment of per diem under this part, the State home must submit the forms identified in paragraphs (a)(1)(i) and (ii) of this section to the VA medical center of jurisdiction for each veteran at the time of the veteran's admission to or enrollment in a State home. If the home is not a recognized State home, the home must, after recognition, submit forms for Veterans who received care on and after the date of the completion of the VA survey that provided the basis for determining that the home met the standards of this part. The State home must also submit the appropriate form with any request for a change in the type of per diem paid on behalf of a veteran as a result of a change in the veteran's program of care or a change in the veteran's service-connected disability rating that makes the veteran's care eligible for payment under § 51.41. Copies of VA Forms can be obtained from any VA Medical Center and are available on our website at www.va.gov/vaforms. The required forms are: (i) A completed VA Form 10-10EZ, Application for Medical Benefits (or VA Form 10-10EZR, Health Benefits Renewal Form, if a completed Form 10-10EZ is already on file at VA). Note 1 to paragraph (a)(1)(i): Domiciliary applicants and residents must complete the financial disclosure sections of VA Forms 10-10EZ and 10-10EZR, and adult day health care applicants may be required to complete the financial disclosure sections of these forms in order to enroll with VA. Although the nursing home applicants or residents or adult day health care participants do not complete the financial disclosure sections of VA Forms 10-10EZ and 10-10EZR, an unsigned form is incomplete, and VA will not accept the form. (ii) A completed VA Form 10-10SH, State Home Program Application for Care—Medical Certification. | (M) Met | | | | | |
| 1008 | 51.42(a)(2) Form required for monthly payments. Except as provided in paragraphs (b)(1) and (2) of this section, VA pays per diem on a monthly basis for care provided during the prior month. To receive payment, the State must submit each month to the VA a completed VA Form 10–5588, State Home Report and Statement of Federal Aid Claimed. | (M) Met | | | | | |

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| 1009 | 51.42(b)(1) Commencement of payments—(1) Per diem payments for a newly recognized State home. No per diem payments will be made until VA recognizes the home and each veteran resident for whom VA pays per diem is verified as being eligible; however, per diem payments will be made retroactively for care that was provided on and after the date of the completion of the VA survey that provided the basis for determining that the home met the standards of this part. | (M) Met | | | | | |
| 1010 | 51.42(b)(2) Per diem payments for capacity certified under § 51.30(c). Per diem will be paid for the care of veterans in capacity certified in accordance with § 51.30(c) retroactive to the date of the completion of the survey if the Director certifies the capacity as a result of that survey. | (M) Met | | | | | |
| 1011 | 51.42(b)(3) Payments for eligible veterans. When a State home admits or enrolls an eligible veteran, VA will pay per diem under this part from the date of receipt of the completed forms required by this section, except that VA will pay per diem from the date care began if the Director receives the completed forms no later than 10 calendar days after care began. VA will make retroactive payments of per diem under paragraphs (b)(1) and (2) of this section only if the Director receives the completed forms that must be submitted under this section. | (M) Met | | | | | |
| 1012 | 51.43(a) In addition to the per diem payments under § 51.40 of this part, the Secretary will furnish drugs and medicines to a State home as may be ordered by prescription of a duly licensed physician as specific therapy in the treatment of illness or injury for a veteran receiving nursing home care in a State home if—(1) The veteran: (i) Has a singular or combined rating of less than 50 percent based on one or more service-connected disabilities and needs the drugs and medicines for a service connected disability; and (ii) Needs nursing home care for reasons that do not include care for a VA adjudicated service-connected disability; or (2) The veteran: (i) Has a singular or combined rating of 50 or 60 percent based on one or more service-connected disabilities and needs the drugs and medicines; and (ii) Needs nursing home care for reasons that do not include care for a VA adjudicated service-connected disability. | (M) Met | | | | | |

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| 1013 | 51.43(b) VA will also furnish drugs and medicines to a State home for a veteran receiving nursing home, domiciliary, or adult day health care in a State home pursuant to 38 U.S.C. 1712(d), as implemented by § 17.96 of this chapter, subject to the limitation in § 51.41(c)(2). | (M) Met | | | | | |
| 1014 | 51.43(c) VA may furnish a drug or medicine under paragraph (a) of this section and under § 17.96 of this chapter only if the drug or medicine is included on VA's National Formulary, unless VA determines a non-Formulary drug or medicine is medically necessary. | (M) Met | | | | | |
| 1015 | 51.43(d) VA may furnish a drug or medicine under this section and under § 17.96 of this chapter by having the drug or medicine delivered to the State home in which the veteran resides by mail or other means and packaged in a form that is mutually acceptable to the State home and to VA set forth in a written agreement. | (M) Met | | | | | |
| 1016 | 51.43(e) As a condition for receiving drugs or medicine under this section or under § 17.96 of this chapter, the State must submit to the VA medical center of jurisdiction a completed VA Form 10-0460 with the corresponding prescription(s) for each eligible veteran. | (M) Met | | | | | |

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| 1017 | 51.50(a)-(i) A veteran is an eligible veteran for the purposes of payment of per diem for nursing home care under this part if VA determines that the veteran needs nursing home care; is not barred from receiving care based on his or her service (see 38 U.S.C. 5303, 5303A), is not barred from receiving VA pension, compensation or dependency and indemnity compensation based on the character of a discharge from military service (see 38 CFR 3.12) and is within one of the following categories:<br>(a) Veterans with service-connected disabilities;<br>(b) Veterans who are former prisoners of war, who were awarded the Purple Heart, or who were awarded the medal of honor under 10 U.S.C. 3741, 6241, or 8741 or 14 U.S.C. 491;<br>(c) Veterans who were discharged or released from active military service for a disability incurred or aggravated in the line of duty;<br>(d) Veterans who receive disability compensation under 38 U.S.C. 1151;<br>(e) Veterans whose entitlement to disability compensation is suspended because of the receipt of retired pay;<br>(f) Veterans whose entitlement to disability compensation is suspended pursuant to 38 U.S.C. 1151, but only to the extent that such veterans' continuing eligibility for nursing home care is provided for in the judgment or settlement described in 38 U.S.C. 1151;<br>(g) Veterans who VA determines are unable to defray the expenses of necessary care as specified under 38 U.S.C. 1722(a);<br>(h) Veterans solely seeking care for a disorder associated with exposure to a toxic substance or radiation, for a disorder associated with service in the Southwest Asia theater of operations during the Persian Gulf War, as provided in 38 U.S.C.1710(e), or for any illness associated with service in combat in a war after the Gulf War or during a period of hostility after November 11, 1998, as provided and limited in 38 U.S.C. 1710(e);<br>(i) Veterans who agree to pay to the United States the applicable co-payment determined under 38 U.S.C. 1710(f) and 1710(g). Note 1 to paragraph (i): Neither enrollment in the VA healthcare system nor eligibility to enroll is required to be an eligible veteran for the purposes of payment of per diem for nursing home care. | (M) Met | | | | | |

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| 1018 | 51.59(a) Definition of emergency. For the purposes of this section, emergency means an occasion or instance where all of the following are true:<br>(1) It would be unsafe for veterans receiving care at a State home to remain in that home.<br>(2) The State is not, or believes that it will not be, able to provide care in the State home on a temporary or long-term basis for any or all of its veteran residents due to a situation involving the State home, and not due to a situation where a particular veteran's medical condition requires that the veteran be transferred to another facility, such as for a period of hospitalization.<br>(3) The State determines that the veterans must be evacuated to another facility or facilities. | (M) Met | | | | | |
| 1019 | 51.59(b) General authority to pay per diem during a relocation period. Notwithstanding any other provision of this part, VA will continue to pay per diem for a period not to exceed 30 calendar days for any eligible veteran who resided in a State home, and for whom VA was paying per diem, if such veteran is evacuated during an emergency into a facility other than a VA nursing home, hospital, domiciliary, or other VA site of care if the State is responsible for providing or paying for the care. VA will not pay per diem under this section for more than 30 calendar days of care provided in the evacuation facility, unless the official who approved the emergency response under paragraph (e) of this section determines that it is not reasonably possible to return the veteran to a State home within the 30-calendar-day period, in which case such official will approve additional period(s) of no more than 30 calendar days in accordance with this section. VA will not pay per diem if VA determines that a veteran is or has been placed in a facility that does not meet the standards set forth in paragraph (c)(1) of this section, and VA may recover all per diem paid for the care of the veteran in that facility. | (M) Met | | | | | |
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| 1020 | 51.59(c)(1) Selection of evacuation facilities. The following standards and procedures in paragraphs (c)(1) through (3) apply to the selection of an evacuation facility in order for VA to continue to pay per diem during an emergency. These standards and procedures also apply to evacuation facilities when veterans are evacuated from a nursing home in which care is being provided pursuant to a contract under 38 U.S.C. 1720. (1) Each veteran who is evacuated must be placed in a facility that, at a minimum, will meet the needs for food, shelter, toileting, and essential medical care of that veteran. | (M) Met | | | | | |
| 1021 | 51.59(c)(2) For veterans evacuated from nursing homes, the following types of facilities may meet the standards under paragraph (c)(1) of this section:<br>(i) VA Community Living Centers;<br>(ii) VA contract nursing homes;<br>(iii) Centers for Medicare and Medicaid Services certified facilities; and<br>(iv) Licensed nursing homes.<br>Note 1 to paragraph (c)(2): If none of the above options are available, veterans may be evacuated temporarily to other facilities that meet the standards under paragraph (c)(1) of this section. | (M) Met | | | | | |
| 1022 | 51.59(e) Approval of response. Per diem payments will not be made under this section unless and until the Director of the VA medical center of jurisdiction or the director of the VISN in which the State home is located (if the VAMC Director is not capable of doing so) determines, that an emergency exists and that the evacuation facility meets VA standards set forth in paragraph (c)(1) of this section. | (M) Met | | | | | |
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| 1028 | 51.70(a) The resident has the right to a dignified existence, self determination, and communication with and access to persons and services inside and outside the facility. The facility management must protect and promote the rights of each resident, including each of the following rights:<br>(a) Exercise of rights.<br>(1) The resident has a right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.<br>(2) The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility management in exercising his or her rights.<br>(3) The resident has the right to freedom from chemical or physical restraint.<br>(4) In the case of a resident determined incompetent under the laws of a State by a court of jurisdiction, the rights of the resident are exercised by the person appointed under State law to act on the resident's behalf.<br>(5) In the case of a resident who has not been determined incompetent by the State court, any legal-surrogate designated in accordance with State law may exercise the resident's rights to the extent provided by State law. | (M) Met | | | | | |
| 1029 | 51.70(b)(1)-(2) Notice of rights and services. (1) The facility management must inform the resident both orally and in writing in a language that the resident understands of his or her rights and all rules and regulations governing resident conduct and responsibilities during the stay in the facility. Such notification must be made prior to or upon admission and periodically during the resident's stay. (2) The resident or his or her legal representative has the right: (i) Upon an oral or written request, to access all records pertaining to himself or herself including current clinical records within 24 hours (excluding weekends and holidays); and (ii) After receipt of his or her records for review, to purchase at a cost not to exceed the community standard photocopies of the records or any portions of them upon request and with 2 working days advance notice to the facility management. | (M) Met | | | | | |

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| 1030 | 51.70(b)(3)-(6) (3) The resident has the right to be fully informed in language that he or she can understand of his or her total health status;<br>(4) The resident has the right to refuse treatment, to refuse to participate in experimental research, and to formulate an advance directive as specified in paragraph (b)(7) of this section; and<br>(5) The facility management must inform each resident before, or at the time of admission, and periodically during the resident's stay, of services available in the facility and of charges for those services to be billed to the resident.<br>(6) The facility management must furnish a written description of legal rights which includes:<br>(i) A description of the manner of protecting personal funds, under paragraph (c) of this section;<br>(ii) A statement that the resident may file a complaint with the State (agency) concerning resident abuse, neglect, misappropriation of resident property in the facility, and non-compliance with the advance directives requirements. | (M) Met | | | | | |

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| 1031 | 51.70(b)(7)-(8) (7) The facility management must have written policies and procedures regarding advance directives (e.g., living wills) that include provisions to inform and provide written information to all residents concerning the right to accept or refuse medical or surgical treatment and, at the individual's option, formulate an advance directive. This includes a written description of the facility's policies to implement advance directives and applicable State law. If an individual is incapacitated at the time of admission and is unable to receive information (due to the incapacitating conditions) or articulate whether or not he or she has executed an advance directive, the facility may give advance directive information to the individual's family or surrogate in the same manner that it issues other materials about policies and procedures to the family of the incapacitated individual or to a surrogate or other concerned persons in accordance with State law. The facility management is not relieved of its obligation to provide this information to the individual once he or she is no longer incapacitated or unable to receive such information. Follow-up procedures must be in place to provide the information to the individual directly at the appropriate time.<br>(8) The facility management must inform each resident of the name and way of contacting the primary physician responsible for his or her care. | (M) Met | | | | | |
| 1032 | 51.70(b)(i) Notification of changes. (i) Facility management must immediately inform the resident; consult with the primary physician; and if known, notify the resident's legal representative or an interested family member when there is—<br>(A) An accident involving the resident which results in injury and has the potential for requiring physician intervention;<br>(B) A significant change in the resident's physical, mental, or psychosocial status (i.e., a deterioration in health, mental, or psychosocial status in either life-threatening conditions or clinical complications);<br>(C) A need to alter treatment significantly (i.e., a need to discontinue an existing form of treatment due to adverse consequences, or to commence a new form of treatment); or<br>(D) A decision to transfer or discharge the resident from the facility as specified in §51.80(a) of this part. | (M) Met | | | | | |

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| 1033 | 51.70(b)(ii) The facility management must also promptly notify the resident and, if known, the resident's legal representative or interested family member when there is—<br>(A) A change in room or roommate assignment as specified in §51.100(f)(2); or<br>(B) A change in resident rights under Federal or State law or regulations as specified in paragraph (b)(1) of this section.<br>(iii) The facility management must record and periodically update the address and phone number of the resident's legal representative or interested family member. | (M) Met | | | | | |
| 1034 | 51.70(c)(1)-(2) Protection of resident funds.<br>(1) The resident has the right to manage his or her financial affairs, and the facility management may not require residents to deposit their personal funds with the facility.<br>(2) Management of personal funds. Upon written authorization of a resident, the facility management must hold, safeguard, manage, and account for the personal funds of the resident deposited with the facility, as specified in paragraphs (c)(3) through (c)(6) of this section. | (M) Met | | | | | |
| 1035 | 51.70(c)(3) Deposit of funds. (i) Funds in excess of $100. The facility management must deposit any residents' personal funds in excess of $100 in an interest bearing account (or accounts) that is separate from any of the facility's operating accounts, and that credits all interest earned on resident's funds to that account. (In pooled accounts, there must be a separate accounting for each resident's share.) (ii) Funds less than $100. The facility management must maintain a resident's personal funds that do not exceed $100 in a non-interest bearing account, interest-bearing account, or petty cash fund. | (M) Met | | | | | |
| 1036 | 51.70(c)(4) Accounting and records. The facility management must establish and maintain a system that assures a full and complete and separate accounting, according to generally accepted accounting principles, of each resident's personal funds entrusted to the facility on the resident's behalf.<br>(i) The system must preclude any commingling of resident funds with facility funds or with the funds of any person other than another resident.<br>(ii) The individual financial record must be available through quarterly statements and on request from the resident or his or her legal representative. | (M) Met | | | | | |

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| 1037 | 51.70(c)(5) Conveyance upon death. Upon the death of a resident with a personal fund deposited with the facility, the facility management must convey within 90 calendar days the resident's funds, and a final accounting of those funds, to the individual or probate jurisdiction administering the resident's estate; or other appropriate individual or entity, if State law allows. | (M) Met | | | | | |
| 1038 | 51.70(c)(6) Assurance of financial security. The facility management must purchase a surety bond, or otherwise provide assurance satisfactory to the Under Secretary for Health, to assure the security of all personal funds of residents deposited with the facility. | (M) Met | | | | | |
| 1039 | 51.70(d) Free choice. The resident has the right to—<br>(1) Be fully informed in advance about care and treatment and of any changes in that care or treatment that may affect the resident's well-being; and<br>(2) Unless determined incompetent or otherwise determined to be incapacitated under the laws of the State, participate in planning care and treatment or changes in care and treatment. | (M) Met | | | | | |
| 1040 | 51.70(e) Privacy and confidentiality. The resident has the right to personal privacy and confidentiality of his or her personal and clinical records.<br>(1) Residents have a right to personal privacy in their accommodations, medical treatment, written and telephone communications, personal care, visits, and meetings of family and resident groups. This does not require the facility management to give a private room to each resident.<br>(2) Except as provided in paragraph (e)(3) of this section, the resident may approve or refuse the release of personal and clinical records to any individual outside the facility;<br>(3) The resident's right to refuse release of personal and clinical records does not apply when—<br>(i) The resident is transferred to another health care institution; or<br>(ii) Record release is required by law. | (M) Met | | | | | |
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| 1041 | 51.70(f) Grievances. A resident has the right to—<br>(1) Voice grievances without discrimination or reprisal. Residents may voice grievances with respect to treatment received and not received; and<br>(2) Prompt efforts by the facility to resolve grievances the resident may have, including those with respect to the behavior of other residents. | (M) Met | | | | | |
| 1042 | 51.70(g) Examination of survey results. A resident has the right to—<br>(1) Examine the results of the most recent VA survey with respect to the facility. The facility management must make the results available for examination in a place readily accessible to residents, and must post a notice of their availability; and<br>(2) Receive information from agencies acting as client advocates, and be afforded the opportunity to contact these agencies. | (M) Met | | | | | |
| 1043 | 51.70(h) Work. The resident has the right to—<br>(1) Refuse to perform services for the facility;<br>(2) Perform services for the facility, if he or she chooses, when—<br>(i) The facility has documented the need or desire for work in the plan of care;<br>(ii) The plan specifies the nature of the services performed and whether the services are voluntary or paid;<br>(iii) Compensation for paid services is at or above prevailing rates; and<br>(iv) The resident agrees to the work arrangement described in the plan of care. | (M) Met | | | | | |
| 1044 | 51.70(i) Mail. The resident must have the right to privacy in written communications, including the right to—<br>Send and promptly receive mail that is unopened; and (2) Have access to stationery, postage, and writing implements at the resident's own expense. | (M) Met | | | | | |
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| 1045 | 51.70(j)(1)-(2) Access and visitation rights.<br>(1) The resident has the right and the facility management must provide immediate access to any resident by the following:<br>(i) Any representative of the Under Secretary for Health;<br>(ii) Any representative of the State;<br>(iii) Physicians of the resident's choice (to provide care in the nursing home, physicians must meet the provisions of §51.210(j));<br>(iv) The State long term care ombudsman;<br>(v) Immediate family or other relatives of the resident subject to the resident's right to deny or withdraw consent at any time; and<br>(vi) Others who are visiting subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time.<br>(2) The facility management must provide reasonable access to any resident by any entity or individual that provides health, social, legal, or other services to the resident, subject to the resident's right to deny or withdraw consent at any time. | (M) Met | | | | | |
| 1046 | 51.70(j)(3) The facility management must allow representatives of the State Ombudsman Program, described in paragraph (j)(1)(iv) of this section, to examine a resident's clinical records with the permission of the resident or the resident's legal representative, subject to State law. | (M) Met | | | | | |
| 1047 | 51.70(k) Telephone. The resident has the right to reasonable access to use a telephone where calls can be made without being overheard. | (M) Met | | | | | |
| 1048 | 51.70(l) Personal property. The resident has the right to retain and use personal possessions, including some furnishings, and appropriate clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents. | (M) Met | | | | | |
| 1049 | 51.70(m) Married couples. The resident has the right to share a room with his or her spouse when married residents live in the same facility and both spouses consent to the arrangement. | (M) Met | | | | | |
| 1050 | 51.70(n) Self Administration of drugs. An individual resident may self administer drugs if the interdisciplinary team, as defines by § 51.110(d)(2)(ii) of this part, has determined that this practice is safe | (M) Met | | | | | |
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| 1056 | 51.80(a)(1)-(2) Transfer and discharge.<br>(1) Definition: Transfer and discharge includes movement of a resident to a bed outside of the facility whether that bed is in the same physical plant or not. Transfer and discharge does not refer to movement of a resident to a bed within the same facility.<br>(2) Transfer and discharge requirements. The facility management must permit each resident to remain in the facility, and not transfer or discharge the resident from the facility unless—<br>(i) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the nursing home;<br>(ii) The transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the nursing home;<br>(iii) The safety of individuals in the facility is endangered;<br>(iv) The health of individuals in the facility would otherwise be endangered;<br>(v) The resident has failed, after reasonable and appropriate notice to pay for a stay at the facility; or<br>(vi) The nursing home ceases to operate. | (M) Met | | | | | |
| 1057 | 51.80(a)(3) Documentation. When the facility transfers or discharges a resident under any of the circumstances specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section, the primary physician must document this in the resident's clinical record. | (M) Met | | | | | |
| 1058 | 51.80(a)(4) Notice before transfer. Before a facility transfers or discharges a resident, the facility must—<br>(i) Notify the resident and, if known, a family member or legal representative of the resident of the transfer or discharge and the reasons for the move in writing and in a language and manner they understand.<br>(ii) Record the reasons in the resident's clinical record; and<br>(iii) Include in the notice the items described in paragraph (a)(6) of this section. | (M) Met | | | | | |

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| 1059 | 51.80(a)(5) Timing of the notice. (i) The notice of transfer or discharge required under paragraph (a)(4) of this section must be made by the facility at least 30 days before the resident is transferred or discharged, except when specified in paragraph (a)(5)(ii) of this section,<br>(ii) Notice may be made as soon as practicable before transfer or discharge when—<br>(A) The safety of individuals in the facility would be endangered;<br>(B) The health of individuals in the facility would be otherwise endangered;<br>(C) The resident's health improves sufficiently so the resident no longer needs the services provided by the nursing home;<br>(D) The resident's needs cannot be met in the nursing home; | (M) Met | | | | | |
| 1060 | 51.80(a)(6) Contents of the notice. The written notice specified in paragraph (a)(4) of this section must include the following:<br>(i) The reason for transfer or discharge;<br>(ii) The effective date of transfer or discharge;<br>(iii) The location to which the resident is transferred or discharged;<br>(iv) A statement that the resident has the right to appeal the action to the State official designated by the State; and<br>(v) The name, address and telephone number of the State long term care ombudsman. | (M) Met | | | | | |
| 1061 | 51.80(a)(7) Orientation for transfer or discharge. A facility management must provide sufficient preparation and orientation to residents to ensure safe and orderly transfer or discharge from the facility | (M) Met | | | | | |
| 1062 | 51.80(b)(1) Notice of bed-hold policy and readmission—<br>(1) Notice before transfer. Before a facility transfers a resident to a hospital or allows a resident to go on therapeutic leave, the facility management must provide written information to the resident and a family member or legal representative that specifies—- | (M) Met | | | | | |
| 1063 | 51.80(b)(2) Bed-hold notice upon transfer. At the time of transfer of a resident for hospitalization or therapeutic leave, facility management must provide to the resident and a family member or legal representative written notice which specifies the duration of the bed-hold policy described in paragraph (b)(1) of this section. | (M) Met | | | | | |
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| 1064 | 51.80(b)(3) Permitting resident to return to facility. A nursing facility must establish and follow a written policy under which a resident, whose hospitalization or therapeutic leave exceeds the bed-hold period is readmitted to the facility immediately upon the first availability of a bed in a semi-private room, if the resident requires the services provided by the facility. | (M) Met | | | | | |
| 1065 | 51.80(c) Equal access to quality care. The facility management must establish and maintain identical policies and practices regarding transfer, discharge, and the provision of services for all individuals regardless of source of payment. | (M) Met | | | | | |
| 1066 | 51.80(d) Admissions policy. The facility management must not require a third party guarantee of payment to the facility as a condition of admission or expedited admission, or continued stay in the facility. However, the facility may require an individual who has legal access to a resident's income or resources available to pay for facility care to sign a contract to pay the facility from the resident's income or resources. | (M) Met | | | | | |
| 1072 | 51.90(a) Restraints.<br>(1) The resident has a right to be free from any chemical or physical restraints imposed for purposes of discipline or convenience. When a restraint is applied or used, the purpose of the restraint is reviewed and is justified as a therapeutic intervention.<br>(i) Chemical restraint is the inappropriate use of a sedating psychotropic drug to manage or control behavior.<br>(ii) Physical restraint is any method of physically restricting a person's freedom of movement, physical activity or normal access to his or her body. Bed rails and vest restraints are examples of physical restraints.<br>(2) The facility management uses a system to achieve a restraint-free environment.<br>(3) The facility management collects data about the use of restraints.<br>(4) When alternatives to the use of restraint are ineffective, a restraint must be safely and appropriately used. | (M) Met | | | | | |
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| 1073 | 51.90(b) Abuse. The resident has the right to be free from mental, physical, sexual, and verbal abuse or neglect, corporal punishment, and involuntary seclusion.<br>(1) Mental abuse includes humiliation, harassment, and threats of punishment or deprivation.<br>(2) Physical abuse includes hitting, slapping, pinching, or kicking. Also includes controlling behavior through corporal punishment.<br>(3) Sexual abuse includes sexual harassment, sexual coercion, and sexual assault.<br>(4) Neglect is any impaired quality of life for an individual because of the absence of minimal services or resources to meet basic needs. Includes withholding or inadequately providing food and hydration (without physician, resident, or surrogate approval), clothing, medical care, and good hygiene. May also include placing the individual in unsafe or unsupervised conditions.<br>(5) Involuntary seclusion is a resident's separation from other residents or from the resident's room against his or her will or the will of his or her legal representative. | (M) Met | | | | | |
| 1074 | 51.90(c)(1) Staff treatment of residents. The facility management must develop and implement written policies and procedures that prohibit mistreatment, neglect, and abuse of residents and misappropriation of resident property. (1) The facility management must:<br>(i) Not employ individuals who—<br>(A) Have been found guilty of abusing, neglecting, or mistreating individuals by a court of law; or<br>(B) Have had a finding entered into an applicable State registry or with the applicable licensing authority concerning abuse, neglect, mistreatment of individuals or misappropriation of their property; and<br>(ii) Report any knowledge it has of actions by a court of law against an employee, which would indicate unfitness for service as a nurse aide or other facility staff to the State nurse aide registry or licensing authorities. | (M) Met | | | | | |
| 1075 | 51.90(c)(2) The facility management must ensure that all alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source, and misappropriation of resident property are reported immediately to the administrator of the facility and to other officials in accordance with State law through established procedures. | (M) Met | | | | | |

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| 1076 | 51.90(c)(3) The facility management must have evidence that all alleged violations are thoroughly investigated, and must prevent further potential abuse while the investigation is in progress. | (M) Met | | | | | |
| 1077 | 51.90(c)(4) The results of all investigations must be reported to the administrator or the designated representative and to other officials in accordance with State law within 5 working days of the incident, and appropriate corrective action must be taken if the alleged violation is verified. | (M) Met | | | | | |
| 1083 | 51.100(a)-(b)A facility management must care for its residents in a manner and in an environment that promotes maintenance or enhancement of each resident's quality of life.<br>(a) Dignity. The facility management must promote care for residents in a manner and in an environment that maintains or enhances each resident's dignity and respect in full recognition of his or her individuality.<br>(b) Self-determination and participation. The resident has the right to—<br>(1) Choose activities, schedules, and health care consistent with his or her interests, assessments, and plans of care;<br>(2) Interact with members of the community both inside and outside the facility; and<br>(3) Make choices about aspects of his or her life in the facility that are significant to the resident. | (M) Met | | | | | |
| 1084 | 51.100(c) Resident Council. The facility management must establish a council of residents that meet at least quarterly. The facility management must document any concerns submitted to the management of the facility by the council. | (M) Met | | | | | |
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| 1085 | 51.100(d) Participation in resident and family groups.<br>(1) A resident has the right to organize and participate in resident groups in the facility;<br>(2) A resident's family has the right to meet in the facility with the families of other residents in the facility;<br>(3) The facility management must provide the council and any resident or family group that exists with private space;<br>(4) Staff or visitors may attend meetings at the group's invitation;<br>(5) The facility management must provide a designated staff person responsible for providing assistance and responding to written requests that result from group meetings;<br>(6) The facility management must listen to the views of any resident or family group, including the council established under paragraph (c) of this section, and act upon the concerns of residents, families, and the council regarding policy and operational decisions affecting resident care and life in the facility | (M) Met | | | | | |
| 1086 | 51.100(e) Participation in other activities. A resident has the right to participate in social, religious, and community activities that do not interfere with the rights of other residents in the facility. The facility management must arrange for religious counseling by clergy of various faith groups. | (M) Met | | | | | |
| 1087 | 51.100(f) Accommodation of needs. A resident has the right to—<br>(1) Reside and receive services in the facility with reasonable accommodation of individual needs and preferences, except when the health or safety of the individual or other residents would be endangered; and<br>(2) Receive notice before the resident's room or roommate in the facility is changed. | (M) Met | | | | | |
| 1088 | 51.100(g)(1) Patient Activities.<br>(1) The facility management must provide for an ongoing program of activities designed to meet, in accordance with the comprehensive assessment, the interests and the physical, mental, and psychosocial well-being of each resident. | (M) Met | | | | | |
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| 1089 | 51.100(g)(2) The activities program must be directed by a qualified professional who is a qualified therapeutic recreation specialist or an activities professional who—<br>(i) Is licensed or registered, if applicable, by the State in which practicing; and<br>(ii) Is certified as a therapeutic recreation specialist or as an activities professional by a recognized accrediting body. | (M) Met | | | | | |
| 1090 | 51.100(h)(1) Social Services.<br>(1) The facility management must provide medically related social services to attain or maintain the highest practicable mental and psychosocial well being of each resident; | (M) Met | | | | | |
| 1091 | 51.100(h)(2) For each 120 beds, a nursing home must employ one or more qualified social workers who work for a total period that equals at least the work time of one full-time employee (FTE). A State home that has more or less than 120 beds must provide qualified social worker services on a proportionate basis (for example, a nursing home with 60 beds must employ one or more qualified social workers who work for a total period equaling at least one-half FTE and a nursing home with 180 beds must employ qualified social workers who work for a total period equaling at least one and one-half FTE). | (M) Met | | | | | |
| 1092 | 51.100(h)(3) Qualifications of social worker. A qualified social worker is an individual with—<br>(i) A bachelor's degree in social work from a school accredited by the Council of Social Work Education (Note: A master's degree social worker with experience in long-term care is preferred), and<br>(ii) A social work license from the State in which the State home is located, if offered by the State, and<br>(iii) A minimum of one year of supervised social work experience in a health care setting working directly with individuals. | (M) Met | | | | | |
| 1093 | 51.100(h)(4) The facility management must have sufficient support staff to meet patients' social services needs. | (M) Met | | | | | |
| 1094 | 51.100(h)(5) Facilities for social services must ensure privacy for interviews. | (M) Met | | | | | |
| 1095 | 51.100(i)(1)Environment. The facility management must provide—<br>(1) A safe, clean, comfortable, and homelike environment, allowing the resident to use his or her personal belongings to the extent possible; | (M) Met | | | | | |

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| 1096 | 51.100(i)(2) Housekeeping and maintenance services necessary to maintain a sanitary, orderly, and comfortable interior; | (M) Met | | | | | |
| 1097 | 51.100(i)(3) Clean bed and bath linens that are in good condition; | (M) Met | | | | | |
| 1098 | 51.100(i)(4) Private closet space in each resident room, as specified in §51.200(d)(2)(iv) of this part; | (M) Met | | | | | |
| 1099 | 51.100(i)(5) Adequate and comfortable lighting levels in all areas; | (M) Met | | | | | |
| 1100 | 51.100(i)(6) Comfortable and safe temperature levels. Facilities must maintain a temperature range of 71 81 degrees F.; and | (M) Met | | | | | |
| 1101 | 51.100(i)(7) For the maintenance of comfortable sound levels. | (M) Met | | | | | |
| 1107 | 51.110(a)The facility management must conduct initially, annually and as required by a change in the resident's condition a comprehensive, accurate, standardized, reproducible assessment of each resident's functional capacity.<br>(a) Admission orders. At the time each resident is admitted, the facility management must have physician orders for the resident's immediate care and a medical assessment, including a medical history and physical examination, within a time frame appropriate to the resident's condition, not to exceed 72 hours after admission, except when an examination was performed within five days before admission and the findings were recorded in the medical record on admission. | (M) Met | | | | | |
| 1108 | 51.110(b)( 1) Comprehensive assessments.<br>(1) The facility management must make a comprehensive assessment of a resident's needs:<br>(i) Using the Centers for Medicare and Medicaid Services (CMS) Resident Assessment Instrument Minimum Data Set, Version 3.0; and<br>(ii) Describing the resident's capability to perform daily life functions, strengths, performances, needs as well as significant impairments in functional capacity. | (M) Met | | | | | |
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| 1109 | 51.110(b)(2) Frequency. Assessments must be conducted—<br>(i) No later than 14 days after the date of admission;<br>(ii) Promptly after a significant change in the resident's physical, mental, or social condition; and<br>(iii) In no case less often than once every 12 months. | (M) Met | | | | | |
| 1110 | 51.110(b)(3) Review of assessments. The nursing facility management must examine each resident no less than once every 3 months, and as appropriate, revise the resident's assessment to assure the continued accuracy of the assessment. | (M) Met | | | | | |
| 1111 | 51.110(b)(4) Use. The results of the assessment are used to develop, review, and revise the resident's individualized comprehensive plan of care, under paragraph (d) of this section. | (M) Met | | | | | |
| 1112 | 51.110(c)(1)-(2) Accuracy of assessments.<br>(1) Coordination—<br>(i) Each assessment must be conducted or coordinated with the appropriate participation of health professionals.<br>(ii) Each assessment must be conducted or coordinated by a registered nurse that signs and certifies the completion of the assessment.<br>(2) Certification. Each person who completes a portion of the assessment must sign and certify the accuracy of that portion of the assessment. | (M) Met | | | | | |
| 1113 | 51.110(d) Submission of assessments. Each assessment (initial, annual, change in condition, and quarterly) using the Centers for Medicare and Medicaid Services (CMS) Resident Assessment Instrument Minimum Data Set, Version 2.0 must be submitted electronically to VA at the IP address provided by VA to the State within 30 days after completion of the assessment document. | (M) Met | | | | | |
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| 1114 | 51.110(e)(1) Comprehensive care plans.<br>(1) The facility management must develop an individualized comprehensive care plan for each resident that includes measurable objectives and timetables to meet a resident's physical, mental, and psychosocial needs that are identified in the comprehensive assessment. The care plan must describe the following—<br>(i) The services that are to be furnished to attain or maintain the resident's highest practicable physical, mental, and psychosocial well-being as required under §51.120; and<br>(ii) Any services that would otherwise be required under §51.120 of this part but are not provided due to the resident's exercise of rights under §51.70, including the right to refuse treatment under §51.70(b)(4) of this part. | (M) Met | | | | | |
| 1115 | 51.110(e)(2) A comprehensive care plan must be—<br>(i) Developed within 7 calendar days after completion of the comprehensive assessment;<br>(ii) Prepared by an interdisciplinary team, that includes the primary physician, a registered nurse with responsibility for the resident, and other appropriate staff in disciplines as determined by the resident's needs, and, to the extent practicable, the participation of the resident, the resident's family or the resident's legal representative; and<br>(iii) Periodically reviewed and revised by a team of qualified persons after each assessment. | (M) Met | | | | | |
| 1116 | 51.110(e)(3) The services provided or arranged by the facility must—<br>(i) Meet professional standards of quality; and<br>(ii) Be provided by qualified persons in accordance with each resident's written plan of care. | (M) Met | | | | | |
| 1117 | 51.110(f) Discharge summary. Prior to discharging a resident, the facility management must prepare a discharge summary that includes—<br>(1) A recapitulation of the resident's stay;<br>(2) A summary of the resident's status at the time of the discharge to include items in paragraph (b)(2) of this section; and<br>(3) A post-discharge plan of care that is developed with the participation of the resident and his or her family, which will assist the resident to adjust to his or her new living environment. | (M) Met | | | | | |

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| 1123 | 51.120(a)(1)-(2)Each resident must receive and the facility management must provide the necessary care and services to attain or maintain the highest practicable physical, mental, and psychosocial well-being, in accordance with the comprehensive assessment and plan of care.<br>(a) Reporting of Sentinel Events—<br>(1) Definition. A sentinel event is an adverse event that results in the loss of life or limb or permanent loss of function.<br>(2) Examples of sentinel events are as follows:<br>(i) Any resident death, paralysis, coma or other major permanent loss of function associated with a medication error; or<br>(ii) Any suicide of a resident, including suicides following elopement (unauthorized departure) from the facility; or<br>(iii) Any elopement of a resident from the facility resulting in a death or a major permanent loss of function; or<br>(iv) Any procedure or clinical intervention, including restraints, that result in death or a major permanent loss of function; or<br>(v) Assault, homicide or other crime resulting in patient death or major permanent loss of function; or<br>(vi) A patient fall that results in death or major permanent loss of function as a direct result of the injuries sustained in the fall. | (M) Met | | | | | |
| 1124 | 51.120(a)(3) The facility management must report sentinel events to the director of VA medical center of jurisdiction within 24 hours of identification. The VA medical center of jurisdiction must report sentinel events by calling VA Network Director (10N 1-22) and Office of Geriatrics and Extended Care in VA Central Office within 24 hours of notification. | (M) Met | | | | | |
| 1125 | 51.120(a)(4) The facility management must establish a mechanism to review and analyze a sentinel event resulting in a written report no later than 10 working days following the event. The purpose of the review and analysis of a sentinel event is to prevent injuries to residents, visitors, and personnel, and to manage those injuries that do occur and to minimize the negative consequences to the injured individuals and facility. | (M) Met | | | | | |
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| 1126 | 51.120(b)(1) Activities of daily living. Based on the comprehensive assessment of a resident, the facility management must ensure that—<br>(1) A resident's abilities in activities of daily living do not diminish unless circumstances of the individual's clinical condition demonstrate that diminution was unavoidable. This includes the resident's ability to—<br>(i) Bathe, dress, and groom;<br>(ii) Transfer and ambulate;<br>(iii) Toilet;<br>(iv) Eat; and<br>(v) Talk or otherwise communicate. | (M) Met | | | | | |
| 1127 | 51.120(b)(2) A resident is given the appropriate treatment and services to maintain or improve his or her abilities specified in paragraph (b)(1) of this section; and | (M) Met | | | | | |
| 1128 | 51.120(b)(3) A resident who is unable to carry out activities of daily living receives the necessary services to maintain good nutrition, hydration, grooming, personal and oral hygiene, mobility, and bladder and bowel elimination. | (M) Met | | | | | |
| 1129 | 51.120(c) Vision and hearing. To ensure that residents receive proper treatment and assistive devices to maintain vision and hearing abilities, the facility must, if necessary, assist the resident—<br>(1) In making appointments, and<br>(2) By arranging for transportation to and from the office of a practitioner specializing in the treatment of vision or hearing impairment or the office of a professional specializing in the provision of vision or hearing assistive devices. | (M) Met | | | | | |
| 1130 | 51.120(d) Pressure sores. Based on the comprehensive assessment of a resident, the facility management must ensure that—<br>(1) A resident who enters the facility without pressure sores does not develop pressure sores unless the individual's clinical condition demonstrates that they were unavoidable; and<br>(2) A resident having pressure sores receives necessary treatment and services to promote healing, prevent infection and prevent new sores from developing. | (M) Met | | | | | |
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| 1131 | 51.120(e)(1)-(2) Urinary and Fecal Incontinence. Based on the resident's comprehensive assessment, the facility management must ensure that—<br>(1) A resident who enters the facility without an indwelling catheter is not catheterized unless the resident's clinical condition demonstrates that catheterization was necessary;<br>(2) A resident who is incontinent of urine receives appropriate treatment and services to prevent urinary tract infections and to restore as much normal bladder function as possible; and | (M) Met | | | | | |
| 1132 | 51.120(e)(3) A resident who has persistent fecal incontinence receives appropriate treatment and services to treat reversible causes and to restore as much normal bowel function as possible. | (M) Met | | | | | |
| 1133 | 51.120(f) Range of motion. Based on the comprehensive assessment of a resident, the facility management must ensure that—<br>(1) A resident who enters the facility without a limited range of motion does not experience reduction in range of motion unless the resident's clinical condition demonstrates that a reduction in range of motion is unavoidable; and<br>(2) A resident with a limited range of motion receives appropriate treatment and services to increase range of motion and/or to prevent further decrease in range of motion. | (M) Met | | | | | |
| 1134 | 51.120(g) Mental and Psychosocial functioning. Based on the comprehensive assessment of a resident, the facility management must ensure that a resident who displays mental or psychosocial adjustment difficulty, receives appropriate treatment and services to correct the assessed problem. | (M) Met | | | | | |
| 1135 | 51.120(h) Enteral Feedings. Based on the comprehensive assessment of a resident, the facility management must ensure that—<br>(1) A resident who has been able to adequately eat or take fluids alone or with assistance is not fed by enteral feedings unless the resident's clinical condition demonstrates that use of enteral feedings was unavoidable; and<br>(2) A resident who is fed by enteral feedings receives the appropriate treatment and services to prevent aspiration pneumonia, diarrhea, vomiting, dehydration, metabolic abnormalities, nasal-pharyngeal ulcers and other skin breakdowns, and to restore, if possible, normal eating skills. | (M) Met | | | | | |

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| 1136 | 51.120(i) Accidents. The facility management must ensure that—<br>(1) The resident environment remains as free of accident hazards as is possible; and<br>(2) Each resident receives adequate supervision and assistance devices to prevent accidents. | (M) Met | | | | | |
| 1137 | 51.120(j) Nutrition. Based on a resident's comprehensive assessment, the facility management must ensure that a resident—<br>(1) Maintains acceptable parameters of nutritional status, such as body weight and protein levels, unless the resident's clinical condition demonstrates that this is not possible; and<br>(2) Receives a therapeutic diet when a nutritional deficiency is identified | (M) Met | | | | | |
| 1138 | 51.120(k) Hydration. The facility management must provide each resident with sufficient fluid intake to maintain proper hydration and health. | (M) Met | | | | | |
| 1139 | 51.120(l) Special needs. The facility management must ensure that residents receive proper treatment and care for the following special services:<br>(1) Injections;<br>(2) Parenteral and enteral fluids;<br>(3) Colostomy, ureterostomy, or ileostomy care;<br>(4) Tracheostomy care;<br>(5) Tracheal suctioning;<br>(6) Respiratory care;<br>(7) Foot care; and<br>(8) Prostheses. | (M) Met | | | | | |
| 1140 | 51.120(m)(1) Unnecessary drugs—(1) General. Each resident's drug regimen must be free from unnecessary drugs. An unnecessary drug is any drug when used:<br>(i) In excessive dose (including duplicate drug therapy); or<br>(ii) For excessive duration; or<br>(iii) Without adequate monitoring; or<br>(iv) Without adequate indications for its use; or<br>(v) In the presence of adverse consequences which indicate the dose should be reduced or discontinued; or<br>(vi) Any combinations of the reasons above. | (M) Met | | | | | |
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| 1141 | 51.120(m)(2) Antipsychotic Drugs. Based on a comprehensive assessment of a resident, the facility management must ensure that—<br>(i) Residents who have not used antipsychotic drugs are not given these drugs unless antipsychotic drug therapy is necessary to treat a specific condition as diagnosed and documented in the clinical record; and<br>(ii) Residents who use antipsychotic drugs receive gradual dose reductions, and behavioral interventions, unless clinically contraindicated, in an effort to discontinue these drugs. | (M) Met | | | | | |
| 1142 | 51.120(n) Medication Errors. The facility management must ensure that—<br>(1) Medication errors are identified and reviewed on a timely basis; and<br>(2) strategies for preventing medication errors and adverse reactions are implemented. | (M) Met | | | | | |
| 1148 | 51.130(a) The facility management must provide an organized nursing service with a sufficient number of qualified nursing personnel to meet the total nursing care needs, as determined by resident assessment and individualized comprehensive plans of care, of all patients within the facility 24 hours a day, 7 days a week.<br>(a) The nursing service must be under the direction of a full-time registered nurse who is currently licensed by the State and has, in writing, administrative authority, responsibility, and accountability for the functions, activities, and training of the nursing services staff. | (M) Met | | | | | |
| 1149 | 51.130(b) The facility management must provide registered nurses 24 hours per day, 7 days per week. | (M) Met | | | | | |
| 1150 | 51.130(c) The director of nursing service must designate a registered nurse as a supervising nurse for each tour of duty.<br>(1) Based on the application and results of the case mix and staffing methodology, the director of nursing may serve in a dual role as director and as an onsite-supervising nurse only when the facility has an average daily occupancy of 60 or fewer residents in nursing home.<br>(2) Based on the application and results of the case mix and staffing methodology, the evening or night supervising nurse may serve in a dual role as supervising nurse as well as provides direct patient care only when the facility has an average daily occupancy of 60 or fewer residents in nursing home. | (M) Met | | | | | |

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| 1151 | 51.130(d) The facility management must provide nursing services to ensure that there is direct care nurse staffing of no less than 2.5 hours per patient per 24 hours, 7 days per week in the portion of any building providing nursing home care. | (M) Met | | | | | |
| 1152 | 51.130(e) Nurse staffing must be based on a staffing methodology that applies case mix and is adequate for meeting the standards of this part. | (M) Met | | | | | |
| 1155 | 51.140(a) The facility management must provide each resident with a nourishing, palatable, well-balanced diet that meets the daily nutritional and special dietary needs of each resident.<br>(a) Staffing. The facility management must employ a qualified dietitian either full-time, part-time, or on a consultant basis.<br>(1) If a dietitian is not employed, the facility management must designate a person to serve as the director of food service who receives at least a monthly scheduled consultation from a qualified dietitian.<br>(2) A qualified dietitian is one who is qualified based upon registration by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics. | (M) Met | | | | | |
| 1156 | 51.140(b) Sufficient staff. The facility management must employ sufficient support personnel competent to carry out the functions of the dietary service. | (M) Met | | | | | |
| 1157 | 51.140(c) Menus and nutritional adequacy. Menus must—<br>(1) Meet the nutritional needs of residents in accordance with the recommended dietary allowances of the Food and Nutrition Board of the National Research Council, National Academy of Sciences;<br>(2) Be prepared in advance; and<br>(3) Be followed. | (M) Met | | | | | |
| 1158 | 51.140(d) Food. Each resident receives and the facility provides—<br>(1) Food prepared by methods that conserve nutritive value, flavor, and appearance;<br>(2) Food that is palatable, attractive, and at the proper temperature;<br>(3) Food prepared in a form designed to meet individual needs; and<br>(4) Substitutes offered of similar nutritive value to residents. | (M) Met | | | | | |
| 1159 | 51.140(e) Therapeutic diets. Therapeutic diets must be prescribed by the primary care physician. | (M) Met | | | | | |

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| 1160 | 51.140(f) Frequency of meals.<br>(1) Each resident receives and the facility provides at least three meals daily, at regular times comparable to normal mealtimes in the community.<br>(2) There must be no more than 14 hours between a substantial evening meal and the availability of breakfast the following day, except as provided in (f)(4) of this section.<br>(3) The facility staff must offer snacks at bedtime daily.<br>(4) When a nourishing snack is provided at bedtime, up to 16 hours may elapse between a substantial evening meal and breakfast the following day. | (M) Met | | | | | |
| 1161 | 51.140(g) Assistive devices. The facility management must provide special eating equipment and utensils for residents who need them. | (M) Met | | | | | |
| 1162 | 51.140(h) Sanitary conditions. The facility must:<br>(1) Procure food from sources approved or considered satisfactory by Federal, State, or local authorities;<br>(2) Store, prepare, distribute, and serve food under sanitary conditions; and<br>(3) Dispose of garbage and refuse properly. | (M) Met | | | | | |
| 1168 | 51.150(a) A physician must personally approve in writing a recommendation that an individual be admitted to a facility. Each resident must remain under the care of a physician.<br>(a) Physician supervision. The facility management must ensure that—<br>(1) The medical care of each resident is supervised by a primary care physician;<br>(2) Each resident's medical record lists the name of the resident's primary physician, and<br>(3) Another physician supervises the medical care of residents when their primary physician is unavailable. | (M) Met | | | | | |
| 1169 | 51.150(b) Physician visits. The physician must—<br>(1) Review the resident's total program of care, including medications and treatments, at each visit required by paragraph (c) of this section;<br>(2) Write, sign, and date progress notes at each visit; and<br>(3) Sign and date all orders. | (M) Met | | | | | |
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| 1170 | 51.150(c) Frequency of physician visits.<br>(1) The resident must be seen by the primary physician at least once every 30 days for the first 90 days after admission, and at least once every 60 days thereafter, or more frequently based on the condition of the resident.<br>(2) A physician visit is considered timely if it occurs not later than 10 days after the date the visit was required.<br>(3) Except as provided in paragraphs (c)(4) of this section, all required physician visits must be made by the physician personally.<br>(4) At the option of the physician, required visits in the facility after the initial visit may alternate between personal visits by the physician and visits by a physician assistant, nurse practitioner, or clinical nurse specialist in accordance with paragraph (e) of this section. | (M) Met | | | | | |
| 1171 | 51.150(d) Availability of physicians for emergency care. The facility management must provide or arrange for the provision of physician services 24 hours a day, 7 days per week, in case of an emergency. | (M) Met | | | | | |
| 1172 | 51.150(e)(1) Physician delegation of tasks.<br>(1) Except as specified in paragraph (e)(2) of this section, a primary physician may delegate tasks to:<br>(i) a certified physician assistant or a certified nurse practitioner, or<br>(ii) a clinical nurse specialist who—<br>(A) Is acting within the scope of practice as defined by State law; and<br>(B) Is under the supervision of the physician.<br>Note to paragraph (e): An individual with experience in long term care is preferred. | (M) Met | | | | | |
| 1173 | 51.150(e)(2) The primary physician may not delegate a task when the regulations specify that the primary physician must perform it personally, or when the delegation is prohibited under State law or by the facility's own policies. | (M) Met | | | | | |
| 1176 | 51.160(a) Provision of services. If specialized rehabilitative services such as but not limited to physical therapy, speech therapy, occupational therapy, and mental health services for mental illness are required in the resident's comprehensive plan of care, facility management must—<br>(1) Provide the required services; or<br>(2) Obtain the required services from an outside resource, in accordance with §51.210(h) of this part, from a provider of specialized rehabilitative services. | (M) Met | | | | | |

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| 1177 | 51.160(b) Specialized rehabilitative services must be provided under the written order of a physician by qualified personnel. | (M) Met | | | | | |
| 1180 | 51.170(a)-(c) (a) A facility must provide or obtain from an outside resource, in accordance with §51.210(h) of this part, routine and emergency dental services to meet the needs of each resident;<br>(b) A facility may charge a resident an additional amount for routine and emergency dental services; and<br>(c) A facility must, if necessary, assist the resident—<br>(1) In making appointments;<br>(2) By arranging for transportation to and from the dental services; and<br>(3) Promptly refer residents with lost or damaged dentures to a dentist. | (M) Met | | | | | |
| 1183 | 51.180(a) The facility management must provide routine and emergency drugs and biologicals to its residents, or obtain them under an agreement described in §51.210(h) of this part. The facility management must have a system for disseminating drug information to medical and nursing staff.<br>(a) Procedures. The facility management must provide pharmaceutical services (including procedures that assure the accurate acquiring, receiving, dispensing, and administering of all drugs and biologicals) to meet the needs of each resident. | (M) Met | | | | | |
| 1184 | 51.180(b) Service consultation. The facility management must employ or obtain the services of a pharmacist licensed in a State in which the facility is located or a VA pharmacist under VA contract who—<br>(1) Provides consultation on all aspects of the provision of pharmacy services in the facility;<br>(2) Establishes a system of records of receipt and disposition of all controlled drugs in sufficient detail to enable an accurate reconciliation; and<br>(3) Determines that drug records are in order and that an account of all controlled drugs is maintained and periodically reconciled. | (M) Met | | | | | |
| 1185 | 51.180(c) Drug regimen review.<br>(1) The drug regimen of each resident must be reviewed at least once a month by a licensed pharmacist.<br>(2) The pharmacist must report any irregularities to the primary physician and the director of nursing, and these reports must be acted upon. | (M) Met | | | | | |

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| 1186 | 51.180(d) Labeling of drugs and biologicals. Drugs and biologicals used in the facility management must be labeled in accordance with currently accepted professional principles, and include the appropriate accessory and cautionary instructions, and the expiration date when applicable. | (M) Met | | | | | |
| 1187 | 51.180(e)(1) Storage of drugs and biologicals.<br>(1) In accordance with State and Federal laws, the facility management must store all drugs and biologicals in locked compartments under proper temperature controls, and permit only authorized personnel to have access to the keys. | (M) Met | | | | | |
| 1188 | 51.180(e)(2) The facility management must provide separately locked, permanently affixed compartments for storage of controlled drugs listed in Schedule II of the Comprehensive Drug Abuse Prevention and Control Act of 1976 and other drugs subject to abuse. | (M) Met | | | | | |
| 1194 | 51.190(a) The facility management must establish and maintain an infection control program designed to provide a safe, sanitary, and comfortable environment and to help prevent the development and transmission of disease and infection.<br>(a) Infection control program. The facility management must establish an infection control program under which it—<br>(1) Investigates, controls, and prevents infections in the facility;<br>(2) Decides what procedures, such as isolation, should be applied to an individual resident; and<br>(3) Maintains a record of incidents and corrective actions related to infections. | (M) Met | | | | | |
| 1195 | 51.190(b) Preventing spread of infection.<br>(1) When the infection control program determines that a resident needs isolation to prevent the spread of infection, the facility management must isolate the resident.<br>(2) The facility management must prohibit employees with a communicable disease or infected skin lesions from engaging in any contact with residents or their environment that would transmit the disease.<br>(3) The facility management must require staff to wash their hands after each direct resident contact for which hand washing is indicated by accepted professional practice. | (M) Met | | | | | |
| 1196 | 51.190(c) Linens. Personnel must handle, store, process, and transport linens so as to prevent the spread of infection. | (M) Met | | | | | |

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| 1199 | 51.200(a) The facility management must be designed, constructed, equipped, and maintained to protect the health and safety of residents, personnel and the public.<br>(a) Life safety from fire. The facility must meet the applicable provisions of NFPA 101, Life Safety Code and NFPA 99, Health Care Facilities Code. | (M) Met | | | | | |
| 1200 | 51.200(b) Emergency power.<br>(1) An emergency electrical power system must be provided to supply power adequate for illumination of all exit signs and lighting for the means of egress, fire alarm and medical gas alarms, emergency communication systems, and generator task illumination.<br>(2) The system must be the appropriate type essential electrical system in accordance with the applicable provisions of NFPA 101, Life Safety Code and NFPA 99, Health Care Facilities Code.<br>(3) When electrical life support devices are used, an emergency electrical power system must also be provided for devices in accordance with NFPA 99, Health Care Facilities Code.<br>(4) The source of power must be an on-site emergency standby generator of sufficient size to serve the connected load or other approved sources in accordance with NFPA 101, Life Safety Code and NFPA 99, Health Care Facilities Code. | (M) Met | | | | | |
| 1201 | 51.200(c) Space and equipment. Facility management must—<br>(1) Provide sufficient space and equipment in dining, health services, recreation, and program areas to enable staff to provide residents with needed services as required by these standards and as identified in each resident's plan of care; and<br>(2) Maintain all essential mechanical, electrical, and patient care equipment in safe operating condition. | (M) Met | | | | | |
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| 1202 | 51.200(d)(1) Resident rooms. Resident rooms must be designed and equipped for adequate nursing care, comfort, and privacy of residents:<br>(1) Bedrooms must—<br>(i) Accommodate no more than four residents;<br>(ii) Measure at least 115 net square feet per resident in multiple resident bedrooms;<br>(iii) Measure at least 150 net square feet in single resident bedrooms;<br>(iv) Measure at least 245 net square feet in small double resident bedrooms; and<br>(v) Measure at least 305 net square feet in large double resident bedrooms used for spinal cord injury residents. It is recommended that the facility have one large double resident bedroom for every 30 resident bedrooms.<br>(vi) Have direct access to an exit corridor;<br>(vii) Be designed or equipped to assure full visual privacy for each resident;<br>(viii) Except in private rooms, each bed must have ceiling suspended curtains, which extend around the bed to provide total visual privacy in combination with adjacent walls and curtains;<br>(ix) Have at least one window to the outside; and<br>(x) Have a floor at or above grade level. | (M) Met | | | | | |
| 1203 | 51.200(d)(2) The facility management must provide each resident with—<br>(i) A separate bed of proper size and height for the safety of the resident;<br>(ii) A clean, comfortable mattress;<br>(iii) Bedding appropriate to the weather and climate; and<br>(iv) Functional furniture appropriate to the resident's needs, and individual closet space in the resident's bedroom with clothes racks and shelves accessible to the resident. | (M) Met | | | | | |
| 1204 | 51.200(e) Toilet facilities. Each resident room must be equipped with or located near toilet and bathing facilities. It is recommended that public toilet facilities be also located near the resident's dining and recreational areas. | (M) Met | | | | | |
| 1205 | 51.200(f) Resident call system. The nurse's station must be equipped to receive resident calls through a communication system from—<br>(1) Resident rooms; and<br>(2) Toilet and bathing facilities. | (M) Met | | | | | |
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| 1206 | 51.200(g) Dining and resident activities. The facility management must provide one or more rooms designated for resident dining and activities. These rooms must—<br>(1) Be well lighted;<br>(2) Be well ventilated;<br>(3) Be adequately furnished; and<br>(4) Have sufficient space to accommodate all activities. | (M) Met | | | | | |
| 1207 | 51.200(h)(1) Other environmental conditions. The facility management must provide a safe, functional, sanitary, and comfortable environment for the residents, staff and the public. The facility must—<br>(1) Establish procedures to ensure that water is available to essential areas when there is a loss of normal water supply; | (M) Met | | | | | |
| 1208 | 51.200(h)(2) Have adequate outside ventilation by means of windows, or mechanical ventilation, or a combination of the two; | (M) Met | | | | | |
| 1209 | 51.200(h)(3) Equip corridors with firmly secured handrails on each side; and | (M) Met | | | | | |
| 1210 | 51.200(h)(4) Maintain an effective pest control program so that the facility is free of pests and rodents. | (M) Met | | | | | |
| 1216 | 51.210(a) A facility must be administered in a manner that enables it to use its resources effectively and efficiently to attain or maintain the highest practicable physical, mental, and psychosocial well being of each resident.<br>(a) Governing body.<br>(1) The State must have a governing body, or designated person functioning as a governing body, that is legally responsible for establishing and implementing policies regarding the management and operation of the facility; and<br>(2) The governing body or State official with oversight for the facility appoints the administrator who is—<br>(i) Licensed by the State where licensing is required; and<br>(ii) Responsible for operation and management of the facility. | (M) Met | | | | | |

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| 1217 | 51.210(b) Disclosure of State agency and individual responsible for oversight of facility. The State must give written notice to the Office of Geriatrics and Extended Care, VA Headquarters, 810 Vermont Avenue, NW, Washington, DC 20420, at the time of the change, if any of the following change:<br>(1) The State agency and individual responsible for oversight of a State home facility;<br>(2) The State home administrator;<br>(3) The director of nursing services (or other individual in charge of nursing services); and<br>(4) The State employee responsible for oversight of the State home if a contractor operates the State home | (M) Met | | | | | |
| 1218 | 51.210(c)(1)-(6) Required Information. The facility management must submit the following to the director of the VA medical center of jurisdiction as part of the application for recognition and thereafter as often as necessary to be current or as specified:<br>(1) The copy of legal and administrative action establishing the State-operated facility (e.g., State laws);<br>(2) Site plan of facility and surroundings;<br>(3) Legal title, lease, or other document establishing right to occupy facility;<br>(4) Organizational charts and the operational plan of the facility;<br>(5) The number of the staff by category indicating full-time, part-time and minority designation (annual at time of survey);<br>(6) The number of nursing home patients who are veterans and non-veterans, the number of veterans who are minorities and the number of non-veterans who are minorities (annual at time of survey); | (M) Met | | | | | |
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| 1219 | 51.210(c)(7)-(11) (7) Annual State Fire Marshall's report;<br>(8) Annual certification from the responsible State Agency showing compliance with Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) (VA Form 10-0143A, which is available at any VA medical center and at http://www.va.gov/vaforms);<br>(9) Annual certification for Drug-Free Workplace Act of 1988 (VA Form 10-0143, which is available at any VA medical center and at http://www.va.gov/vaforms);<br>(10) Annual certification regarding lobbying in compliance with Public Law 101-121 (VA Form 10-0144, which is available at any VA medical center and at http://www.va.gov/vaforms); and<br>(11) Annual certification of compliance with Title VI of the Civil Rights Act of 1964 as incorporated in Title 38 CFR 18.1-18.3 (VAForm 10-0144A, which is available at any VA medical center and at http://www.va.gov/vaforms). | (M) Met | | | | | |
| 1220 | 51.210(d) Percentage of Veterans. The percent of the facility residents eligible for VA nursing home care must be at least 75 percent veterans except that the veteran percentage need only be more than 50 percent if the facility was constructed or renovated solely with State funds. All non-veteran residents must be spouses of veterans, or parents any of whose children died while serving in the Armed Forces. | (M) Met | | | | | |
| 1221 | 51.210(e) Management Contract Facility. If a facility is operated by an entity contracting with the State, the State must assign a State employee to monitor the operations of the facility on a full-time onsite basis. | (M) Met | | | | | |
| 1222 | 51.210(f) Licensure. The facility and facility management must comply with applicable State and local licensure laws. | (M) Met | | | | | |
| 1223 | 51.210(g) Staff qualifications.<br>(1) The facility management must employ on a full-time, part-time or consultant basis those professionals necessary to carry out the provisions of these requirements.<br>(2) Professional staff must be licensed, certified, or registered in accordance with applicable State laws. | (M) Met | | | | | |
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| 1224 | 51.210(h) Use of outside resources.<br>(1) If the facility does not employ a qualified professional person to furnish a specific service to be provided by the facility, the facility management must have that service furnished to residents by a person or agency outside the facility under a written agreement described in paragraph (h)(2) of this section.<br>(2) Agreements pertaining to services furnished by outside resources must specify in writing that the facility management assumes responsibility for—<br>(i) Obtaining services that meet professional standards and principles that apply to professionals providing services in such a facility; and<br>(ii) The timeliness of the services.<br>(3) If a veteran requires health care that the State home is not required to provide under this part, the State home may assist the veteran in obtaining that care from sources outside the State home, including the Veterans Health Administration. If VA is contacted about providing such care, VA will determine the best option for obtaining the needed services and will notify the veteran or the authorized representative of the veteran. | (M) Met | | | | | |
| 1225 | 51.210(i) Medical director.<br>(1) The facility management must designate a primary care physician to serve as medical director.<br>(2) The medical director is responsible for—<br>(i) Participating in establishing policies, procedures, and guidelines to ensure adequate, comprehensive services;<br>(ii) Directing and coordinating medical care in the facility;<br>(iii) Helping to arrange for continuous physician coverage to handle medical emergencies;<br>(iv) Reviewing the credentialing and privileging process;<br>(v) Participating in managing the environment by reviewing and evaluating incident reports or summaries of incident reports, identifying hazards to health and safety, and making recommendations to the administrator; and<br>(vi) Monitoring employees' health status and advising the administrator on employee-health policies. | (M) Met | | | | | |
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| 1226 | 51.210(j) Credentialing and Privileging. Credentialing is the process of obtaining, verifying, and assessing the qualifications of a health care practitioner, which may include physicians, podiatrists, dentists, psychologists, physician assistants, nurse practitioners, licensed nurses to provide patient care services in or for a health care organization. Privileging is the process whereby a specific scope and content of patient care services are authorized for a health care practitioner by the facility management, based on evaluation of the individual's credentials and performance.<br>(1) The facility management must uniformly apply credentialing criteria to licensed practitioners applying to provide resident care or treatment under the facility's care.<br>(2) The facility management must verify and uniformly apply the following core criteria: current licensure; current certification, if applicable, relevant education, training, and experience; current competence; and a statement that the individual is able to perform the services he or she is applying to provide.<br>(3) The facility management must decide whether to authorize the independent practitioner to provide resident care or treatment, and each credentials file must indicate that these criteria are uniformly and individually applied.<br>(4) The facility management must maintain documentation of current credentials for each licensed independent practitioner practicing within the facility.<br>(5) When reappointing a licensed independent practitioner, the facility management must review the individual's record of experience.<br>(6) The facility management systematically must assess whether individuals with clinical privileges act within the scope of privileges granted. | (M) Met | | | | | |

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| 1227 | 51.210(k)(1)-(2) Required training of nursing aides.<br>(1) Nurse aide means any individual providing nursing or nursing-related services to residents in a facility who is not a licensed health professional, a registered dietitian, or a volunteer who provide such services without pay.<br>(2) The facility management must not use any individual working in the facility as a nurse aide whether permanent or not unless:<br>(i) That individual is competent to provide nursing and nursing related services; and<br>(ii) That individual has completed a training and competency evaluation program, or a competency evaluation program approved by the State. | (M) Met | | | | | |
| 1228 | 51.210(k)(3)-(4) (3) Registry verification. Before allowing an individual to serve as a nurse aide, facility management must receive registry verification that the individual has met competency evaluation requirements unless the individual can prove that he or she has recently successfully completed a training and competency evaluation program or competency evaluation program approved by the State and has not yet been included in the registry. Facilities must follow up to ensure that such an individual actually becomes registered.<br>(4) Multi-State registry verification. Before allowing an individual to serve as a nurse aide, facility management must seek information from every State registry established under HHS regulations at 42 CFR 483.156 which the facility believes will include information on the individual. | (M) Met | | | | | |
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| NO. | STANDARD DESCRIPTION | RATING | EXPLANATORY STATEMENTS | STATE CORRECTIVE ACTION PLAN | STATE PROPOSED COMPLETION DATE | VA FOLLOW UP | FINAL RATING/ DATE |
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| 1229 | 51.210(5)-(6) (5) Required retraining. If, since an individual's most recent completion of a training and competency evaluation program, there has been a continuous period of 24 consecutive months during none of which the individual provided nursing or nursing-related services for monetary compensation, the individual must complete a new training and competency evaluation program or a new competency evaluation program.<br>(6) Regular in-service education. The facility management must complete a performance review of every nurse aide at least once every 12 months, and must provide regular in-service education based on the outcome of these reviews. The in-service training must—<br>(i) Be sufficient to ensure the continuing competence of nurse aides, but must be no less than 12 hours per year;<br>(ii) Address areas of weakness as determined in nurse aides' performance reviews and may address the special needs of residents as determined by the facility staff; and<br>(iii) For nurse aides providing services to individuals with cognitive impairments, also address the care of the cognitively impaired. | (M) Met | | | | | |
| 1230 | 51.210(l) Proficiency of Nurse aides. The facility management must ensure that nurse aides are able to demonstrate competency in skills and techniques necessary to care for residents' needs, as identified through resident assessments, and described in the plan of care. | (M) Met | | | | | |

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| 1231 | 51.210(m)(1) Level B Requirement Laboratory services.<br>(1) The facility management must provide or obtain laboratory services to meet the needs of its residents. The facility is responsible for the quality and timeliness of the services.<br>(i) If the facility provides its own laboratory services, the services must meet all applicable certification standards, statutes, and regulations for laboratory services.<br>(ii) If the facility provides blood bank and transfusion services, it must meet all applicable certification standards, statutes, and regulations.<br>(iii) If the laboratory chooses to refer specimens for testing to another laboratory, the referral laboratory must be certified in the appropriate specialties and subspecialties of services and meet certification standards, statutes, and regulations.<br>(iv) The laboratory performing the testing must have a current, valid CLIA number (Clinical Laboratory Improvement Amendments of 1988). The facility management must provide VA surveyors with the CLIA number and a copy of the results of the last CLIA inspection.<br>(v) Such services must be available to the resident seven days a week, 24 hours a day. | (M) Met | | | | | |
| 1232 | 51.210(m)(2) The facility management must—<br>(i) Provide or obtain laboratory services only when ordered by the primary physician;<br>(ii) Promptly notify the primary physician of the findings;<br>(iii) Assist the resident in making transportation arrangements to and from the source of service, if the resident needs assistance; and<br>(iv) File in the resident's clinical record laboratory reports that are dated and contain the name and address of the testing laboratory. | (M) Met | | | | | |

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| 1233 | 51.210(n)(1) Radiology and other diagnostic services.<br>(1) The facility management must provide or obtain radiology and other diagnostic services to meet the needs of its residents. The facility is responsible for the quality and timeliness of the services.<br>(i) If the facility provides its own diagnostic services, the services must meet all applicable certification standards, statutes, and regulations.<br>(ii) If the facility does not provide its own diagnostic services, it must have an agreement to obtain these services. The services must meet all applicable certification standards, statutes, and regulations.<br>(iii) Radiologic and other diagnostic services must be available 24 hours a day, seven days a week. | (M) Met | | | | | |
| 1234 | 51.210(n)(2) The facility must—<br>(i) Provide or obtain radiology and other diagnostic services when ordered by the primary physician;<br>(ii) Promptly notify the primary physician of the findings;<br>(iii) Assist the resident in making transportation arrangements to and from the source of service, if the resident needs assistance; and<br>(iv) File in the resident's clinical record signed and dated reports of x-ray and other diagnostic services. | (M) Met | | | | | |
| 1235 | 51.210(o)(1) Clinical records.<br>(1) The facility management must maintain clinical records on each resident in accordance with accepted professional standards and practices that are—<br>(i) Complete;<br>(ii) Accurately documented;<br>(iii) Readily accessible; and<br>(iv) Systematically organized. | (M) Met | | | | | |
| 1236 | 51.210(o)(2) Clinical records must be retained for—<br>(i) The period of time required by State law; or<br>(ii) Five years from the date of discharge when there is no requirement in State law. | (M) Met | | | | | |
| 1237 | 51.210(o)(3) The facility management must safeguard clinical record information against loss, destruction, or unauthorized use; | (M) Met | | | | | |

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| 1238 | 51.210(o)(4) The facility management must keep confidential all information contained in the resident's records, regardless of the form or storage method of the records, except when release is required by—<br>(i) Transfer to another health care institution;<br>(ii) Law;<br>(iii) Third party payment contract;<br>(iv) The resident or;<br>(v) The resident's authorized agent or representative. | (M) Met | | | | | |
| 1239 | 51.210(o)(5) The clinical record must contain—<br>(i) Sufficient information to identify the resident;<br>(ii) A record of the resident's assessments;<br>(iii) The plan of care and services provided;<br>(iv) The results of any pre-admission screening conducted by the State; and<br>(v) Progress notes. | (M) Met | | | | | |
| 1240 | 51.210(p)(1) Quality assessment and assurance.<br>(1) Facility management must maintain a quality assessment and assurance committee consisting of—<br>(i) The director of nursing services;<br>(ii) A primary physician designated by the facility; and<br>(iii) At least 3 other members of the facility's staff. | (M) Met | | | | | |
| 1241 | 51.210(p)(2) The quality assessment and assurance committee—<br>(i) Meets at least quarterly to identify issues with respect to which quality assessment and assurance activities are necessary; and<br>(ii) Develops and implements appropriate plans of action to correct identified quality deficiencies; and | (M) Met | | | | | |
| 1242 | 51.210(p)(3) Identified quality deficiencies are corrected within an established time period.<br>(4) The VA Under Secretary for Health may not require disclosure of the records of such committee unless such disclosure is related to the compliance with requirements of this section. | (M) Met | | | | | |
| 1243 | 51.210(q)(1) Disaster and emergency preparedness.<br>(1) The facility management must have detailed written plans and procedures to meet all potential emergencies and disasters, such as fire, severe weather, and missing residents. | (M) Met | | | | | |
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| 1244 | 51.210(q)(2) The facility management must train all employees in emergency procedures when they begin to work in the facility, periodically review the procedures with existing staff, and carry out unannounced staff drills using those procedures. | (M) Met | | | | | |
| 1245 | 51.210(r) Transfer agreement.<br>(1) The facility management must have in effect a written transfer agreement with one or more hospitals that reasonably assures that—<br>(i) Residents will be transferred from the nursing home to the hospital, and ensured of timely admission to the hospital when transfer is medically appropriate as determined by the primary physician; and<br>(ii) Medical and other information needed for care and treatment of residents, and, when the transferring facility deems it appropriate, for determining whether such residents can be adequately cared for in a less expensive setting than either the nursing home or the hospital, will be exchanged between the institutions.<br>(2) The facility is considered to have a transfer agreement in effect if the facility has an agreement with a hospital sufficiently close to the facility to make transfer feasible. | (M) Met | | | | | |
| 1246 | 51.210(s) Compliance with Federal, State, and local laws and professional standards. The facility management must operate and provide services in compliance with all applicable Federal, State, and local laws, regulations, and codes, and with accepted professional standards and principles that apply to professionals providing services in such a facility. This includes the Single Audit Act of 1984 (Title 31, Section 7501 et seq.) and the Cash Management Improvement Acts of 1990 and 1992 (Public Laws 101-453 and 102-589, see 31 USC 3335, 3718, 3720A, 6501, 6503) | (M) Met | | | | | |